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PATENT  
Docket No.: 17682A-003610US  
Client Ref. No.: 152A

On August 26, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Lois M. Simon

Lois M. Simon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ROBERT O. DEMPCY et al.

Application No.: 09/724,959

Filed: November 28, 2000

For: MODIFIED  
OLIGONUCLEOTIDES FOR  
MISMATCH DISCRIMINATION

Examiner: Chakrabarti

Art Unit: 1634

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is filed in response to the Office Action dated April 9, 2003.

All claims under examination in this application are rejected for obviousness-type double patenting over claims of U.S. patent 6,127,121, either alone or in view of US patent 6,153,379 of Caskey et al.

While Applicants do not agree with the examiner's position that the claims under examination are obvious from the claims of the '121 patent, in order to expedite prosecution of this application, Applicants are filing the accompanying Terminal Disclaimer. Withdrawal of the rejection and processing of this application to allowance are respectfully requested.

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DEMPCY et al.  
Application No.: 09/724,959  
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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

Joel G. Ackerman  
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